IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 5TH JANUARY 2007 / 15TH POUSHA, 1928

RP.No. 1162 of 2006(M)

AGAINST THE JUDGEMENT/ORDER IN WPC.31837/2006 Dated 30/11/2006

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REVIEW PETITIONERS:

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1. D. PRADEEP KUMAR, S/O. BASKRAN PILLAI,
   AGED 38 YEARS, RESIDING AT JAYA MANDIRAM,
   KOTTATHALA P.O., KOTTASRAKKARA,
   KOLLAM DISTRICT.

2. P. ABRAHAM, S/O.PAPPACHAN,
   AGED 48 YEARS, RESIDING AT SHINY BHAVAN,
   PUTHOOR, CHERUMANGAD P.O., KOLLAM DISTRICT.

BY ADV. SRI.T.MADHU
SMT.C.R.SARADAMANI

RESPONDENTS:

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1. S. NEMICHAND, PROPRIETOR OF
   M/S.DILIP FINANCE, NO.1,
   KANDAPPA MUDALI STREET, SOW CARPET,
   CHENNAI-17.

2. THE STATION HOUSE OFFICER,
   KOTTARAKKARA POLICE STATION,
   KOTTARAKKARA, KOLLAM DISTRICT.

BY GOVERNMENT PLEADER SRI.GIKKU JACOB.

THIS REVIEW PETITION HAVING COME UP FOR ADMISSION ON 05/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

R.P.NO. 1162 OF 2006

Dated this the 5th day of January, 2007

ORDER

In the circumstances explained in the petition and in the light of the submissions made at the Bar, I am satisfied that this petition can be allowed and the revised schedule modifying the schedule fixed as per order dated 30/11/2006 can be issued.

2. Accordingly, the dates `4/12/2006, 11/12/2006 and 15/12/2006' appearing in the operative para-4(i) to (vi) of the order dated 30/11/06 in W.P.(c) No.31837/06 shall stand modified and corrected as `10/1/07, 17/1/07 and 20/1/07' respectively. It is further clarified that the prosecution before the court at Chennai is not under Sec.138 of the N.I. Act; but under Sec.420 read with Sec.34 of the IPC.

3. This petition is allowed to the above extent.

Sd/-

Nan/ **(R. BASANT, JUDGE)**

//true copy// P.S. To Judge